

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	No. 4:08cr00218 SWW
	*	
	*	
	*	
BRUCE EASLEY,	*	
	*	
Defendant.	*	

MEMORANDUM AND ORDER

Bruce Easley is charged in a three-count indictment with knowingly transmitting in interstate commerce threats to injure the person of another, namely by making telephone calls to the Federal Aviation Administration stating he would down an aircraft and making a telephone call to the Little Rock FBI office stating he would down an aircraft and kill an individual known to the grand jury, all in violation of 18 U.S.C. § 875(c). During a detention hearing held on May 13, 2008, the Magistrate Judge granted an oral motion of the government pursuant to 18 U.S.C. §§ 4241, 4242, and 4244, seeking a determination (1) of the mental competency of defendant to stand trial, (2) of the existence of insanity at the time of the offense, and (3) if defendant is found to be mentally competent to stand trial but suffers from a mental disease or defect, whether he will require care and treatment in a suitable facility should he plead guilty or be found guilty. Accordingly, defendant was committed to the custody of the Attorney General or his authorized representative for a psychiatric examination.

On July 28, 2008, the Court received the Forensic Report as to defendant. Essentially, the report found that defendant is competent to stand trial but that defendant did appear to suffer

from a severe mental disease or defect to the extent he was unable to appreciate the nature, quality, or wrongfulness of his alleged offense behavior.

On September 11, 2008, defendant waived his right to a jury trial and this Court held a bench trial that same day. The government stated that it would have no objection to a finding of not guilty by reason of insanity, and this Court finds there has been no evidence to refute the psychologist's determination that defendant was operating under a delusional belief system at the time of the acts charged in the indictment. That being so, and as there was no dispute that defendant committed the acts charged in the indictment, the Court hereby finds defendant not guilty only by reason of insanity.

Because the government agrees that defendant's release with conditions, which are set out in a separate order, would not create a substantial risk of bodily injury to another person or serious damage of property of another due to a present mental disease or defect, the Court, with the government's consent, will not conduct a hearing pursuant to 18 U.S.C. § 4243(c) and (d).

IT IS SO ORDERED this 12<sup>th</sup> day of September 2008.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE